

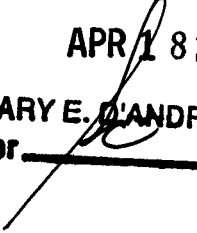
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4-18-02  
SC

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

INTERNATIONAL MARKETING, INC.,	:	CIVIL NO. 1:CV-00-0697
	:	
Plaintiff	:	(Magistrate Judge Smyser)
	:	
v.	:	
	:	
COUNTERACT BALANCING	:	
BEADS, INC.,	:	
	:	
Defendant	:	

**FILED**  
**HARRISBURG, PA**

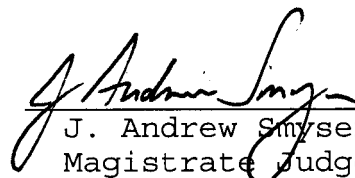
**APR 18 2002**

**MARY E. D'ANDREA, CLERK**  
**Per** 

ORDER

We have considered the motion of the defendant for a stay pending appeal, and the brief in support of that motion, the brief in opposition to that motion and the reply brief in further support of that motion. In our reconsideration of the issues decided by the court after trial in this case, and the findings, conclusions and relief ordered by the court, we have considered whether there is a substantial likelihood that the defendant will prevail on appeal, whether the defendant will suffer irreparable harm if a stay is not granted, and whether a stay would better serve the public interest than would requiring the defendant to comply with the Orders of September 14, 2001 and March 28, 2002. There is not a substantial likelihood in our view that the defendant will prevail on appeal. Addressing the issues of irreparable harm

and of the public interest, it is noted that the determination made in this case is that the defendant is engaged in false advertising. The defendant will not be irreparably harmed in any way that merits accommodation by being required to cease false advertising, and it will not be inconsistent with the public interest for the defendant to cease false advertising. **IT IS ORDERED** that the motion (Doc. 114) of the defendant for a stay of the Orders of September 14, 2001 and March 28, 2002 pending appeal pursuant to Rule 62(c) of the Federal Rules of Civil Procedure is **DENIED**.

  
J. Andrew Smyser  
Magistrate Judge

Dated: April 18, 2002.